

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MICHAEL'S FINER MEATS, LLC,**

**Plaintiff,**

**vs.**

**Case No. C2-09-001**

**Judge Edmund A. Sargus, Jr.**

**Magistrate Judge Norah McCann King**

**MICHAEL F. ALFERY,**

**Defendant.**

**AMENDED PRELIMINARY INJUNCTION**

It is **ORDERED**, that, for so long as this Injunction remains in effect:

- (1) Defendant shall abide by the terms of his **AGREEMENT NOT TO COMPETE** signed June 30, 2005, attached as Exhibit A to the Verified Complaint ("Agreement"), except as modified by the Court below.
- (2) Paragraph 1 of the Agreement is modified as follows:
  1. . . . [F]or a period of twelve (12) months after termination of his/her employment for any reason . . . , Employee shall not (i) either directly or indirectly, solicit, obtain or accept orders for any products competitive with those of the Company, *within Allegheny County, Pennsylvania only*; or (ii) *engage in employment in which he solicits within Allegheny County, Pennsylvania, any product in competition with the Company at the time of his termination of employment.*

(Agreement; Court modifications in italics.)

In particular, Defendant may not, directly or indirectly, engage in any sales or solicit sales, or assist anyone else employed by his new employer, Curtze Company, with respect to former customers to whom he provided service while employed by Michael's Finer Meats, LLC. Further, Defendant may not, directly or indirectly, solicit sales, or assist anyone else employed by the Curtze


Company, to solicit sales, to *any* customer of Michael's Finer Meats, LLC in Allegheny County, Pennsylvania as to product lines Defendant previously sold while employed by Michael's Finer Meats, LLC.

This Order will take effect upon the posting of a security bond for \$10,000.00. Fed. R. Civ. P. 65(c).

Opinion on Plaintiff's Motion for Preliminary Injunction to follow.

**IT IS SO ORDERED.**

1-13-2008  
**DATED**

  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**